

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

Craig A. Coburn et al.

Serial No.:

To Be Assigned

Case No.: 21664YP

US Nat'l Filing Date:

September 20, 2006

Int'l Appl'n No.

PCT/US2005/010224

Int'l Filing Date:

March 25, 2005

For:

2-AMINOTHIAZOLE COMPOUNDS USEFUL AS ASPARTYL

PROTEASE IHNIBITORS

Mail Stop PCT Commissioner for Patents P.O. BOX 1450 Alexandria, VA 22313-1450

## INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR § 1.97

Sir:

In compliance with 37 CFR § 1.97, Applicants and other individuals associated with the filing or prosecution of this application wish to bring to the attention of the Examiner the patents, publications, and other information of which they are aware, listed on the attached form PTO-1449, which they believe may be relevant to the examination of this application or may be material to patentability and in respect of which there may be a duty to disclose in accordance with 37 CFR § 1.56. Applicants respectfully request that the Examiner initial the form PTO-1449 after reviewing the pertinence of each reference.

**EXPRESS MAIL CERTIFICATE** 

DATE OF DEPOSIT EXPRESS MAIL NO.

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail "Post Office to Addressee" on the above date in an envelope addressed to:

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This Information Disclosure Statement is not an admission that any patent, publication, or other information referred to herein is "prior art" for this invention.

In accordance with 37 CFR § 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 CFR § 1.56(b). In accordance with 37 CFR § 1.97(g), the filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made.

Reference C on the accompanying PTO 1440 form was cited in the International Search Report for this application. A copy of the International Search Report and Written Opinion of the International Searching Authority is enclosed with the Information Disclosure Statement.

Pursuant to 37 CFR § 1.97(b), this Information Disclosure Statement is being filed within three months of the filing date of the present application. Accordingly, it is believed that no fee is due.

Any additional fees required in connection with this submission may be taken from Merck Deposit Account No. 13-2755.

Respectfully submitted,

daro, Reg. No. 36,036

Attorney for Applicant

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Date: September 20, 2006

10/593 Substitute for PTO/SB/08A (07-06), Information Disclosure Statement by Applicant Patent and Trademark Office; U.S.DEPARTMENT OF COMMERCE

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INFORMATION DISCLOSURE					Application Number	To Be Assigned
	TATEMENT DV	A D	DIICANT		Filing Date	September 20, 2006
STATEMENT BY APPLICANT					First Named Inventor	Craig A. Coburn
					Group Art Unit	To Be Assigned
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Sheet	1	of	2	_	Attorney Docket Number	21664YP

U.S. PATENT DOCUMENTS							
Examiner nitials*	Cite No.	U.S. Patent Document Number	Kind Code (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY		
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	FOREIGN PATENT DOCUMENTS									
Examiner Initials*	Cite No.	Office	Foreign Patent Documen Number	t Kind Code (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY				
	A		WO 03/106405	<del></del>	Sunesis Pharmaceuticals, Inc.	12/24/2003				
	В		WO 2005/005374	PCT	Sunesis Pharmaceuticals, Inc.	01/20/2005				

Examiner Signature	Date Considered	
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<sup>\*</sup>Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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	/			Group Art Unit	To Be Assigned
	(use as many sheets	as r	necessary)	Examiner Name	To Be Assigned
Sheet	2	of	2	Attorney Docket Number	21664YP

	NON PATENT LITERATURE DOCUMENTS						
Examiner Initials*	Cite No.	Include name of the author, title, date, page(s), volume-issue number(s) and place of publication.					
	С	V. P. Arya et al., "Synthesis of New Heterocycles: Part VIII - Synthesis of 3-Azabicyclo-[4.2.I]nonane & Condensed I,4-Methanocycloheptane Derivatives from Bicyclo[3.2.I]octan-2-one," Indian Journal of Chemistry, Vol. 10, pp. 815-819 (1972)					
	D	D. B. Olsen et al., "Non-active Site Changes Elicit Broad-based Cross-resistance of the HIV-1 Protease to Inhibitors," The Journal of Biological Chemistry, Vol. 274, No. 34, pp. 23699-23701 (1999)					
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Examiner Signature	Date Considered	

<sup>\*</sup>Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.